

What is the basis for requiring additional requirements above and beyond the requirements in the NRC license and state permits? Explain that in RtC

EPA managers will ask: Given what you know about this particular site, what is different and what is the same compared to state regulated sites that would justify the additional requirements.

John wants to be sure that we are aware of the comments that the NRC requirements are designed to take care of contaminants crossing the AE boundary. Our requirements are very unique and Azarga wants the same requirements as other ISR sites. Explain in RtC why our requirements have different intent from NRC requirements.

AE boundary ¼ mile from currently defined ore zone. Building in a safety factor reducing opportunity that once all drilling is done, we don't have.

ESA mitigation measures

You have to stay away even if an animal is present, then immediate shutdown.

Annual wildlife surveys, wouldn't have to avoid the area after they had been cleared by a biologist doing the survey. They still need access to the wellfield even if an animal shows up. Recommendations on what is protective, if you can't do that. Have a biologist observing the species. Has acclimated these eagles. Strategies to deal with wildlife other than avoidance. Gwynn has accomplished this at coal mines. Try minimize impacts, can't avoid if they appear. Migratory species – no incentive for them to come to the location. Deterrents to prevent them from wanting to come to the ponds.

Step one: conduct survey to determine if the animals are present

Step two: mitigation measures if the animals are identified to already be there.

Need inherent flexibility, some time in the future before other wellfields will up constructed.

We need to spell out mitigation that will be used. Other best management practices are allowed, say what mitigation measures will be employed if an animal shows up. List procedures if an animal shows up.

A Biologist will conduct a survey. Then mitigation measures will be conducted depending on the situation.

Observation: Powertech is responsible for the observation. Then a biolo